



EMERGENCY ORDER
IN AND FOR THE CITY OF SEQUIM, WASHINGTON

No. 2020-06

Rescinding and amending Sections 7 and 10 of Emergency Order 2020-05 to comply with the Governor's clarification on "essential construction", amending Section 4 of Emergency Order 2020-05, and closing the City's fish pond.

Policy (Council) ☒ **City Clerk use only:** Presented to Council _____

Administrative (City Manager) ☐

On March 16, 2020, at a special meeting of the City Council of the City of Sequim, the City Council issued a Proclamation of Civil Emergency due to the novel corona virus (COVID-19) outbreak that was identified as a pandemic by the World Health Organization on March 11, 2020.

The Proclamation of Civil Emergency was issued pursuant to Sequim Municipal Code 2.60, RCW 35A.38.010, and RCW 38.52.070(2) based on the public health threat posed by COVID-19, and is consistent with concurrent emergency declarations issued by the President of the United States and the Governor of the State of Washington.

On March 23, 2020 Governor Inslee issued Proclamation 20-25 – "Stay Home Stay Healthy", which ordered everyone to shelter in place unless 1) performing essential activities and/or 2) working in essential business services.

The Governor identified nonessential businesses that will need to cease operations by midnight March 25, 2020, unless the business is identified on the list of "Essential Critical Infrastructure Workers" list until April 8, 2020. The "Essential Critical Infrastructure Workers" list is available [here](#):

On March 25, 2020 the Governor issued a memo clarifying what constitutes "essential construction". That memo is available [here](#).

On March 25, 2020 Washington State Department of Fish & Wildlife closed all recreational fishing and shellfishing due to Proclamation 20-25.

NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

Section 1. Rescind and Amend Emergency Order 2020-05 Section 7 "New Housing Construction on Pre-established, Ready-to-Build Lots may Continue". All of Section 7 in Emergency Order 2020-05 is rescinded and replaced with the following:

In general, commercial and residential construction is not authorized under Proclamation 20-25 because construction is not considered to be an essential activity. However, an exception to the order allows for construction in the following limited circumstances:



- a) Construction related to essential activities as described in the order;
- b) To further a public purpose related to a public entity or governmental function or facility, including but not limited to publicly financed low-income housing; or
- c) To prevent theft and avoid damage or unsafe conditions, and address emergency repairs at both non-essential businesses and residential structures.

There are no general construction essential facilities being constructed in the City at this time, except as set forth in Emergency Order 2020-05 or in subsequent Orders, nor is any publicly financed housing being constructed. Any construction needed to prevent theft, damage, or unsafe conditions must be completed within 48 hours of this Order. Therefore, all general construction, commercial and residential is prohibited until April 8, 2020 unless extended by the Governor. This Section 1 specifically replaces and supersedes all prior versions.

Section 2. Rescind and Amend Emergency Order 2020-05 Section 10. “Inspections”. Section 10 of Emergency Order 2020-05 is rescinded and replaced with the following:

Community Development and Public Works inspections will continue only for essential construction. General construction is not an essential function, so Community Development does not anticipate conducting inspections at this time. Any inspections via video or photographs may be allowed as determined at the applicable inspector’s sole discretion. Community Development inspections will be on a case-by-case basis and only for those essential construction activities. For all onsite inspections, contractors must give 24-hour notice before the requested inspection is to occur. These departments are operating with minimal or remote staffing, so while staff strive to be timely, do not expect normal response times. At the time of the inspection, all onsite workers must maintain a minimum of distance of 10 feet from the inspector at all times. Failure to keep this minimum social distancing may result in the inspector terminating the inspection at the inspector’s sole discretion. Inspectors will review plans on their own devices and will sign off on the City’s inspection cards, as appropriate, and contact the contractor regarding whether the inspection has been signed off or corrections are required. This section specifically replaces and supersedes all prior versions.

Section 3. Amend Emergency Order Section 4 “Doe Run Sewer Lift Station Repair Bid Opening to Proceed”. The City is delaying the bid opening previously scheduled for April 1, 2020. The bid will be rescheduled at a point in the future as determined by the City. The status of the project as essential to the City’s sewer infrastructure remains unchanged.

Section 4. City Fish Pond Closed. The City’s fish pond is closed to comply with the Governor’s Proclamation.

Section 5. Penalty for Violation. Persons who violate the City’s orders are subject to the penalties as set forth in SMC 2.60.140. Construction activities in violation of this Order are subject to additional penalties as set forth in SMC 1.13 – Code Enforcement.

Section 6. Presentation, Ratification, Termination. Emergency Orders issued under the March 16, 2020 Proclamation of Civil Emergency will be filed with the Legal Department and presented by the City Clerk as soon as practicable to the City Council for ratification and confirmation, modification, or rejection, if applicable.



Rejected orders will be void after the Council vote rejecting them.

Until such time as Council acts, Emergency Orders will be considered in full force and effect.

Section 7. Duration. Unless modified, extended, or terminated by the Sequim City Council or Sequim City Manager as applicable, this Emergency Order is effective immediately and remains in effect remains in effect until April 8, 2020 at 11:59 p.m., unless extended.

SIGNED this 26th day of March, 2020, at — hours.

CITY OF SEQUIM

A handwritten signature in blue ink, appearing to read "Charles P. Bush", written over a horizontal line.

Charles P. Bush, City Manager

Approved as to form:

Kristina Nelson-Gross, City Attorney

Attest:

A handwritten signature in blue ink, appearing to read "Sara McMillon", written over a horizontal line.

Sara McMillon, City Clerk